

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA,

Plaintiff,

v.

CALIFORNIA BERRY CULTIVARS, LLC,  
DOUGLAS SHAW, AND KIRK LARSON,

Defendants.

CALIFORNIA BERRY CULTIVARS, LLC,

Cross-Complainant,

v.

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA,

Cross-Defendant.

**Case No. 3:16-CV-02477-VC**

**[PROPOSED] ORDER DENYING  
THE UNIVERSITY'S MOTION TO  
EXCLUDE EXPERT TESTIMONY  
BY DAVID NOLTE UNDER FRE 702**

1 Having considered The Regents of the University of California's (the "University")  
2 Motion to Exclude Expert Testimony by David Nolte Under FRE 702 and California Berry  
3 Cultivars, LLC, Douglas Shaw, and Kirk Larson's Opposition thereto, the supporting memoranda  
4 of points and authorities, the evidence submitted therewith, the arguments of counsel for the  
5 parties in connection therewith, if any, and finding good cause therefore, this Court **HEREBY**  
6 **DENIES** the University's motion in its entirety.

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8 **IT IS SO ORDERED.**

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11 Dated:

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13 HONORABLE VINCE CHHABRIA  
14 U.S. DISTRICT COURT JUDGE  
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